

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 13-47986

RANDY K. DZIERZAWSKI,

Chapter 7

Debtor.

Judge Thomas J. Tucker

**ORDER GRANTING VULPINA LLC'S MOTION
FOR DERIVATIVE STANDING TO PURSUE CLAIMS**

This case came before the Court on September 17, 2014 for a hearing on a motion by creditor Vulpina LLC ("Vulpina") entitled "Vulpina LLC'S Motion for Derivative Standing To Pursue Fraudulent Transfer Claims" (Docket # 175, the "Motion"). Today, the Court has issued a written opinion regarding the Motion (Docket # 193). For the reason stated in that written opinion,

IT IS ORDERED that the Motion (Docket # 175) is granted, and Vulpina is granted derivative standing to file and prosecute, on behalf of the bankruptcy estate, the claims against Kimberly Dzierzawski described and referred to in the Motion and in the Court's written opinion filed today.

IT IS FURTHER ORDERED that the foregoing grant of standing to Vulpina is subject to the terms stated in the Stipulation quoted and referred to on pages 8-9 of the Court's written opinion filed today, and is subject to the following terms:

Vulpina will incur and pay the attorney fees and expenses for prosecuting the claims, and may seek reimbursement for such attorneys fees and expenses from the bankruptcy estate under, and based only on, 11 U.S.C. §§ 503(b)(3)(B) and 503(b)(4); and such requested fees and expenses may not exceed the amount of funds that the bankruptcy estate actually recovers because of Vulpina's prosecution of the claims.

IT IS FURTHER ORDERED that if and to the extent there is any conflict between the terms of this Order and the stipulation, the terms of this Order will govern.

Signed on September 26, 2014

/s/ Thomas J. Tucker

Thomas J. Tucker

United States Bankruptcy Judge